

Bereskin & Parr

INTELLECTUAL PROPERTY LAW

January 24, 2007

H. Samuel Frost B.A. (Eng. Sci.), M.Sc. (Nucl. Eng.)
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Our Reference: 9351-287

NOTICE OF APPEAL

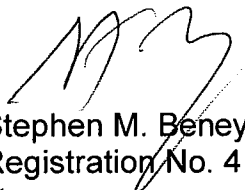
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-3513

Dear Sir:

Re: United States Patent Application No. 10/722,570
Filed: November 28, 2003
Title: METHOD OF OPERATING A FUEL CELL POWER SYSTEM
TO DELIVER CONSTANT POWER
Applicant: Todd A. Simpson et al.

Applicant hereby appeals to the Board of Appeals from the decision dated July 25, 2006 of the Examiner finally rejecting claims 1 and 3-31. A Notice of Appeal and Petition for a Three-Month Extension of Time are attached.

Respectfully submitted,



Stephen M. Beney
Registration No. 41,563
/It
Encl.